IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

LA.App.No. 473 of 2003

LAR.170/1997 of III ADDL.SUB COURT, ERNAKULAM
.....

APPELLANT/RESPONDENT

STATE OF KERALA.

BY GOVERNMENT PLEADER SMT. K.R. DEEPA
SRI.RAJAN JOSEPH, ADDL.A.G.

RESPONDENTS/CLAIMANTS/ADDL. RESPONDENT NO.2
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1. **SAJAN, S/O. ITTOOP, KANJIRAKKOTTU, IRUMPANAM.**

2. **I.O.C. LTD. REG. OFFICE AT G9, ALIYAVOOR JUNG MARG, BANDRA EAST, MUMBAI-51, ITS COCHIN MARKETING TERMINAL AT IRUMBANAM, REPRESENTED BY ITS PROJECT MANAGER AND P.A.HOLDER.**

BY ADV. SRI.P.R.RAMACHANDRA MENON
SRI.P.SANTHALINGAM
SRI.S.SHARAN

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 20/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

LA.App.No. 473 of 2003

Order on I.A. No. 2079/2004 in LA.App.No. 473 of 2003

Dismissed.

	Sd/-	Sd/-
	KURIAN JOSEPH	**HARUN-UL-RASHID**
20.09.2007	**JUDGE**	**JUDGE**

// True Copy //

P.A. to Judge.

smp

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. NO. 473 OF 2003

Dated this the 20th day of September, 2007.

J U D G M E N T

Kurian Joseph, J.

This is an appeal filed against the judgment and decree in L.A.R. No. 170/1997 on the file of III Additional Sub Court, Ernakulam. The land is acquired for the purpose of Indian Oil Corporation. Section 4(1) notification is dated 19.12.1994. The land was taken possession on 30.10.1995.

2. The Land Acquisition Officer fixed the land value at the rate of Rs. 24,664/- per Are for 7.81 Ares and Rs. 3,350/- per Are for 20.29 Ares. In connected cases this Court in similar circumstances has fixed the land value at the rate of Rs. 16,000/- per Are for dry land and Rs. 12,500/- per Are for wet land. In the instant case, larger extent is wet land. If that be so, on an ultimate analysis, the refixation made by this Court was only to the advantage of the claimant. Learned counsel for the respondents-claimants submits that they have received the entire compensation and there is no cross objection either.

In the above circumstances, we do not find it necessary to refix the land value on the basis of the judgment of this Court referred to above. The appeal is accordingly dismissed.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE

smp

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A. NO. 473 OF 2003

J U D G M E N T

20.09.2007